

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (CINCINNATI)**

HAWES, *et al.*,

Plaintiffs,

v.

MACY’S INC., *et al.*,

Defendants.

Civil Action: 1:17-CV-00754

Judge Timothy S. Black

**DEFENDANT AQ TEXTILES, LLC’S MOTION TO DISMISS**

Defendant AQ Textiles, LLC (“AQ”) respectfully moves this Court pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(2), and 12(b)(6) and Local Rule 7.2(a)(1) to dismiss the claims against AQ in their entirety. First, Plaintiffs’ claims should be dismissed pursuant to Rule 12(b)(2) because this Court lacks personal jurisdiction over AQ. Second, Plaintiffs’ class action claims should be dismissed pursuant to Rule 12(b)(1) for lack of standing to the extent they are based on products the named Plaintiffs did not actually purchase. Third, Plaintiffs’ ten claims must be dismissed for failure to state a claim pursuant to Rule 12(b)(6).

This Motion is supported by a Memorandum in Support filed separately.

Respectfully submitted,

/s/ Beth A. Bryan

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed via the Court's CM/ECF system, which will send electronic notification to all counsel of record.

This the 2nd day of January, 2018.

/s/ Beth A. Bryan  
Beth A. Bryan